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In re Application of :
BONMASSAR et al. :
U.S. Application No.: 10/531,852 :
PCT No.: PCT/US03/33009 : DECISION
International Filing Date: 17 October 2003 :
Priority Date: 17 October 2002 :
Attorney's Docket No.: 325216/US/2-475387-00141 :
For: ARRANGEMENT AND METHOD FOR :
DETECTING ABNORMALITIES AND :
INCONSISTENCIES IN A BODY :

This decision is issued in response to the "Request for Correction of Filing Receipt" filed 03 March 2006, which has been treated as a petition under 37 CFR 1.181. Applicants request a corrected filing receipt indicating 18 April 2005 as the filing date for the present application.

BACKGROUND

On 18 April 2005, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee; a copy of the international application; and an information disclosure statement.

On 04 August 2005, the United States Designated/Elected Office mailed a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) must be filed. The notification set a two-month time limit in which to respond.

On 26 September 2005, applicants filed a declaration executed by the joint-inventors.

On 17 February 2006, the DO/EO/US mailed a Notification Of Acceptance Of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903) identifying 26 September 2005 as the date of receipt of the 35 U.S.C. 371 requirements. Subsequently, a filing receipt was mailed to applicants. This filing receipt identified the "filing date" as 26 September 2005.

On 03 March 2006, applicants filed "Request for Correction of Filing Receipt."

DISCUSSION

Applicants request a corrected filing date (or 371(c) date) from 26 September 2005 to 18 April 2005. The actual filing date of the present application is the international filing date, i.e., 17 October 2003 (see 35 U.S.C. 363). The date in the filing date portion on the filing receipt of a national stage application is the date upon which the requirements set forth in 35 U.S.C. 371(c) for entry into the national stage were completed, see MPEP §1895.01. A review of the application file reveals that the oath/declaration was filed with the USPTO on 26 September 2005, the date which the requirements set forth in 35 U.S.C. 371(c) for entry into the national stage was completed. Therefore, the correction of the "FILING DATE" on the filing receipt to indicate a date of 18 April 2005 is not proper since applicants completed the requirements set forth in 35 U.S.C. 371(c) on 26 September 2005, see MPEP section 1893.03(b).

CONCLUSION

For the reasons above, applicants' request under 37 CFR 1.181 to change the filing date on the filing receipt is **DISMISSED** without prejudice.

Any reconsideration on the merits of these petition(s) must be filed within **TWO (2) MONTHS** from the mail date of this decision to file a response. No petition fee is required.

Any further correspondence with respect to this matter should be directed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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